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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/505,203

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Ryutaro Sakai

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William S Frommer
Frommer Lawrence & Haug
745 Fifth Avenue
New York, NY 10151

EXAMINER

AMINI, JAVID A

ART UNIT

PAPER NUMBER

2628

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/505,203

Applicant(s)

SAKAI ET AL.

Examiner

Javid A. Amini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,8,9 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments with respect to claims, 1, 4-5, 8-9 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-5, 8-9 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai (US 2003/0110450 A1), Ranjan (US 2003/0100320 A1) and further in view of Kaneko et al. hereinafter, Kaneko, (US 2002/0107737 A1).

Claim 1,

Sakai in fig. 2 teaches "audio message" 220 as Applicant refers to it as "keyword" in fig. 4B of the specification. Sakai in fig. 8 illustrates background information. Sakai in fig. 10 step 1010 teaches a textual message having emotional value. Sakai in fig. 10 steps 1010b and 1010c cover the limitation in the claim as " .. displaying information corresponding to said input text .." Sakai at paragraphs 0037-0038 teaches the quantities, which take the form of electrical or magnetic signal capable of being stored, transferred, combined, compared, and otherwise manipulated in a computer system. Sakai at paragraph 0109 teaches an audio message (e.g., audio message 220 of FIG. 2) may comprise a spoken message, a previously recorded message,

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musical lyrics, television broadcasts, radio broadcasts, etc. Sakai does not specifically cover the claim language as “.. memorizing a table of .. “ i.e. shown in fig. 8 in the specification. Applicant may provide the significant of the claim language of “ memorizing a table of “ over the prior arts’ memories, storage area or recorded information. Examiner’s interpretation: the claim language “table” contains information as one see in fig. 8, and the prior arts are storing the information associated with text messaging.

Ranjan in fig. 2 illustrates the transmission of web pages from a server computer to an SME through an SMS network. In FIG. 2, a server computer 202 is interconnected with the Internet 204, to which the server computer transmits requests for HTML documents describing web pages and receives the requested HTML documents. The server computer 202 is linked to a short message service center ("SMSC") 206, a message center for SMS messages that is linked via a gateway to a mobile switching center that controls calls to and from mobile phones and pagers. The SMSC 206 receives a text message representing the informational content of a web page or a portion of a web page from the server computer 202 and broadcasts the text message to a local cell tower 208, from which the text message is then rebroadcast to the SME 210. SMEs include short-message-service-mobile-terminated "(SMS-MT)" cell phones that can receive SMS text messages and short-message-service-mobile-originated ("SMS-MO") cell phones that can both send and receive SMS text messages. Ranjan in fig. 3 illustrates the user of an SMS-MT cellular telephone can request an SMS text message from the server computer 302 by entering an access code, such as a phone number, via alphanumeric keys 312 and then enter a token, such as a "#" character followed by several digits. See the following section of claim invention: “means for verifying whether or not there exists a keyword in the input text“. In the same figure 3,

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illustrates the user of an SMS-MO cellular telephone can also access SMS text messages provided by the server computer using this technique, but, in addition, may key in an alphanumeric SMS text message via the alphanumeric keys and transmit the keyed-in SMS text message to the server. The user of certain types of SMS-MO cellular telephones can reply to a SMS text message received from the server computer 302 by keying in a replay SMS text message via alphanumeric keys and transmitting the keyed-in response message using a reply button. Ranjan in fig. 5 illustrates displaying attributes as 530 or 532 that each constitutes a link token that both identify the text lines as links to the user and that can be employed by the user to request the units of textual information corresponding to the links.

However, Ranjan is silenced about a background image associated with the keyword. But, the second reference Kaneko in fig. 9 illustrates template image data and advertisement image data each use, as material data, documents (text) and photographs (still image data), moving images captured by video camera, animation, and still images such as background, frame, and line, music such as ringing melodies, and programs. The layout information and text information such as character font and color (these are hereafter generically referred to as style data) for example of these material data are defined by use of HTML, XML, or CSS (Cascading Style Sheets). Ranjan in figs. 2-3 illustrates the following claim invention: “means for transmitting the information, corresponding to said input text added to by said preset displaying attributes, as a message, over a communication network; means for receiving said message over said communication network; and display control means for displaying said message on said display picture domain”. It would have been obvious to one of ordinary skill in the art at the time of the invention to substitute applicant’s described structure, or acts for that described in the

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prior art reference. Kaneko in fig. 13 teaches a table showing data to be stored in the data portion of card.

By modifying Kaneko into Ranjan and Sakai meaning adding a predetermined template image into which a predetermined user image can be inlaid as superimposed upon the predetermined advertisement image and providing-side transmitting means for transmitting the provision image data via a network. It is beneficial to the electronic mail senders, who are not exposed to advertisements.

Re. claims 5 and 9, the rejection of claim 1 applies to the rejection of the claims 5 and 9.

Kaneko in paragraph 0108 discloses template image data and advertisement image data each use, as material data, documents (text) and photographs (still image data), moving images captured by video camera, animation, and still images such as background, frame, and line, music such as ringing melodies, and programs.

Re. claim 4, 8 and 12.

Kaneko at paragraph 0168 discloses if the decision is YES in step SP33, it indicates that two or more advertisement IDs are associated with one template ID and therefore the advertisement image 15 inlaid at the start of the provision based on the Internet 3 described with reference to FIG. 3, an advertisement image 60 for a time-limited offer product shown in FIG. 19, and an advertisement image 61 of a new product shown in FIG. 20 are registered as the advertisement images capable of being inlaid into one template image 16, for example. In this case, the data management controller 30 goes to step SP34 and executes a matching process to be described later to select the advertisement ID of the advertisement image data (namely, the advertisement images 60 and 61 shown in FIGS. 19 and 20 respectively) which are different

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from the advertisement image data (namely, the advertisement image 15 shown in FIG. 3) at the time of the start of the provision from the plural advertisement IDs for one template ID. Then, the data management controller 30 goes to step SP35.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javid A Amini
Examiner
Art Unit 2628

Javid Amini



Kee M. Tung
Primary Examiner